

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Irrigation & CAD Department – Allegations of irregularities in execution of substandard work in H.N.S.S. Package No.34 in Anantapur Dist. - Disciplinary action initiated against Sri M. Nagaraju, the then AEE now Dy.EE, Subdivision No.1, Rayalacheruvu at Tadipatri under T.B.P. HLC I Division, Anantapur - Departmental proceedings under Rule 20 of the A.P. Civil Services (CC & A) Rules, 1991 - Article of charges - Issued.

IRRIGATION & CAD (Vig.II.(V&E)A.1) DEPARTMENT

G.O.RT.No. 458

**Dated: 14.08.2014.
Read**

O R D E R:

It is proposed to hold an enquiry against Sri M. Nagaraju, the then AEE HNSS division –VI, Anantapur, now Dy.EE, Subdivision No.1 Rayalacheruvu at Tadipatri under T.B.P. HLC (1) Division, Anantapur in accordance with the procedure laid down under Rule 20 of A.P. Civil Services (CC&A) Rules, 1991 for the alleged charges specified herein.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of imputations of misconduct and misbehavior in support of articles of charges is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure. III & IV).

3. Sri M. Nagaraju, the then AEE now Dy.EE, is directed to submit his written statement of defence within (10) days from the date of receipt of this order and also state whether he desires to be heard in person.

4. Sri M. Nagaraju, the then AEE now Dy. Executive Engineer, is informed that an enquiry will be held only in respect of those articles of charge which is not specifically admitted herein. He should, therefore, specifically admit or deny each articles of charge. He is further informed that adequate opportunity for perusal of records will be made available during the course of inquiry.

5. Sri M. Nagaraju, the then AEE now Dy.EE, is further informed that if he does not submit his Written Statement of Defence on or before the stipulated time, or does not appear in person before the disciplinary authority or otherwise fails or refuses to comply with the provisions of Rule 20 of the APPCS (CC&A) Rules 1991, or the orders/directions issued in pursuance of said rules, the inquiring authority may hold enquiry against him ex-prate.

6. Attention of Sri M. Nagaraju, the then AEE now Dy.EE, Subdivision No., Rayalacheruvu at Tadipatri under T.B.P. HLC (1) Division, Anantapur is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules 1964 under which no Govt. servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Govt. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that

Sri M. Nagaraju, the then AEE now Dy.EE, is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order should be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**ADITYA NATH DAS
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri M. Nagaraju, the then AEE now Dy.EE, Subdivision No., Rayalacheruvu at Tadipatri under T.B.P. HLC I Division, Anantapur (through) Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad.

Copy to:

The Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad.

//FORWARDED : BY ORDER//

SECTION OFFICER

ANNEXURE-I

Statement of Articles of charges framed against Sri M. Nagaraju, the then AEE now Dy.EE, Subdivision No., Rayalacheruvu at Tadipatri under T.B.P. HLC I Division, Anantapur .

Sri M.Nagaraju, Deputy Executive Engineer has committed dereliction of duties amounting to misconduct in violation of Rule (3) of APCS (conduct) Rules 1964, as mentioned in the following articles of charges.

Charge I: That the said Sri M.Nagaraju, while functioning as Executive Engineer, being responsible for allowing substandard quality of work and recommending payment of Rs. 76,76,974/- in the execution of work “Investigation, Preparation of H.Ps Designs, Drawing and excavation of main canal from Km 192.00 to Km 210.00 including CM&CD works and to create irrigation potential to an extent of 17,300 acres under Kharif (ID) under H.N.S.S Package No.34” ,as the cores tested in different components of the structures i.e inlet @ km 192.675 (lining of approaches), inlet @ km 194.957 (lining of approaches), D.L.B @ Km 203.955 (lining of approaches), S.P at Km 203.775 (L/s pier) are failed to achieve the specified compressive strength. Thus he has committed dereliction of duties amounting to misconduct resulting in misappropriation of Govt. funds.

Charge II: That the said Sri M.Nagaraju, being responsible for allowing sub standard quantity of work and recommending payment of Rs. 23,72,844/- in the execution of work “Investigation, Preparation of H.Ps Designs, Drawing and excavation of main canal from Km 192.00 to Km 210.00 including CM&CD works and to create irrigation potential to an extent of 17,300 acres under Kharif (ID) under H.N.S.S Package No.34”, as the cores tested in C.C. lining from Km 207.000 to 207.367 & from Km 207.812 to 207.962 laid in the embankment portions are failed to achieve the specified compressive strength. Thus he has committed dereliction of duties amounting to misconduct resulting in misappropriation of Govt. funds.

Charge III: That the said Sri M.Nagaraju, being responsible for allowing substandard quality of work and recommending payment in the execution of work “Investigation, Preparation of H.Ps Designs, Drawing and excavation of main canal from Km 192.00 to Km 210.00 including CM&CD works and to create irrigation potential to an extent of 17,300 acres under Kharif (ID) under H.N.S.S Package No.34” ,as the proctors density tests conducted on L/s bund & R/s bund of reaches from Km 207.000 to Km 207.400 & from Km 208.650 to Km 208.900 are failed to achieve the specified degree of compaction of 98%. Thus he has committed dereliction of duties amounting to misconduct resulting in misappropriation of Govt. funds.

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ANNEXURE-II

Statement of imputations of Misconduct / Misbehavior in support of Articles of charges framed against Sri M. Nagaraju, the then AEE now Dy.EE, Subdivision No., Rayalacheruvu at Tadipatri under T.B.P. HLC I Division, Anantapur .

The V&E department officials enquired in to the 2 adverse news items published in Saakshi Daily District Edition dt. 18-08-2010 captioned “Handree-Neeva Panullo Nanyatentha” & “Avnee (thi)ti katta” alleging substandard works executed under H.N.S.S Package No.34 and Pendekallu Balancing reservoir (Package No.32) by I&CAD Dept in Anantapur district and submitted its report.

The V&E officials obtained the records and inspected the works on 23-11-2010, 19-04-2011 to 23-04-2011 , 27-04-2011 & 28-04-2011. During the inquiry of the allegation “The Engineering officials allowed the substandard work executed in Work” “Investigation, Preparation of H.Ps Designs, Drawing and excavation of main canal from Km 192.00 to Km 210.00 including CM&CD works and to create irrigation potential to an extent of 17,300 acres under Kharif (ID) under H.N.S.S Package No.34” by the contracting agency and allowed payments, the V&E officers tested 7 structures for their design compressive strength, out of which the cores taken in different components of the structures i.e., inlet @ Km 192.675 (lining of approaches), aqueduct @ Km 195.575 (right side trough end wall), inlet @ Km 194.957 (lining of approaches), D.L.B. @ 203.955 (lining of approaches) S.P.@ Km 203.775 (L/s pies) failed to achieve their specified compressive strength. The V&E dept proposed for rejection of the components of the above structures of value Rs. 76,76,974/- except the aqueduct @ Km 195.575 as the curing period of the structure is not completed as on the date of extraction of sample by the V&E authorities.

The cores tested in the two portions of the C.C. lining (from Km 207.000 to 207.367 and from Km 207.812 to 207.962) laid in the embankment portions also failed to achieve the specified compressive strength and V&E proposed for rejection of the above portion for a value Rs. 23,72,844/-.

The V&E officers also conducted Proctor's Density tests in two reaches (from Km 207.000 to Km 207.400 & from Km 208.650 Km 208.900 both on L/s bund and R/s bund) at 0.30m below the existing bund level. The results failed to achieve the specified Degree of compaction of 98%. Hence proposed for removal of the embankment up to that level and proposed for suitable moisture content is to be added and rerolled till the specified degree of compaction is achieved.

Finally V&E concluded that since the tests conducted to assess the compressive tests on certain elements of structures and canal lining failed to satisfy relevant standards and the degree of compaction achieved in respect of the embankments is less than the stipulated 98%, the allegation that the Engineering officials allowed the substandard work executed in the work by contracting agency and made payments is substantiated.

Thus the said officer has failed to perform his duties in time which amounts to dereliction of duties leading to misconduct in violation of Rule (3) of APCS (Conduct) Rules, 1964 resulting in misappropriation of Government funds.

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ANNEXURE –III

List of documents by which the Articles of charges framed against Sri M. Nagaraju, the then AEE now Dy.EE, Subdivision No.I Rayalacheruvu at Tadipatri under T.B.P. HLC I Division, Anantapur . are proposed to be sustained.

List of Documents

1. G.A(V&E) Dept Vigilance Report No. 63 (866/V&E/E1/2010) dt. 05-06-2013

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ANNEXURE –IV

List of witnesses by whom the Articles of charges framed against Sri M. Nagaraju, the then AEE now Dy.EE, Subdivision No., Rayalacheruvu at Tadipatri under T.B.P. HLC I Division, Anantapur . are proposed to be sustained.

List of Witnesses:

1. V&E officials who inspected the work.

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